

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

ACKERMAN MCQUEEN, INC., <i>et al.</i> ,)	
)	
Movants,)	
)	
vs.)	NO. MC-20-0001-HE
)	
NATIONAL RIFLE ASSOCIATION)	
OF AMERICA, <i>et al.</i> ,)	
)	
Respondents.)	

ORDER

The National Rifle Association of America (the “NRA”) sued Ackerman McQueen, Inc. and others in the United States District Court for the Northern District of Texas. After the NRA served subpoenas on a number of entities in the Western District of Oklahoma, plaintiffs filed a motion to quash the subpoenas pursuant to Fed.R.Civ.P. 45(d)(3), or, in the alternative, to transfer the motion to the Northern District of Texas. Plaintiffs claim the subpoenas are overbroad, seek irrelevant and confidential information, and subject recipients to undue burden. The court granted the alternative motion and transferred the motion to the Northern District of Texas.

Subsequently, the NRA served an amended subpoena on one of the original subpoena recipients. Ackerman McQueen has filed another motion to quash or to transfer the motion, and the NRA has responded.

If exceptional circumstances exist, Rule 45(f) allows the court in the district where compliance with a subpoena is required to transfer a subpoena-related motion to the issuing court. Transfer may be warranted “in order to avoid disrupting the issuing court’s

management of the underlying litigation, as when that court has already ruled on issues presented by the motion or the same issues are likely to arise in discovery in many districts.” Fed.R.Civ.P. 45 advisory committee’s note.

In the absence of objection to compliance from the subpoena recipient, and as the remaining issues appear to be tied closely to relevance or other related issues in the case, the court concludes there are exceptional circumstances here within the meaning of Rule 45.

Accordingly, the Motion to Quash [Doc. # 8] is **TRANSFERRED** to the United States District for the Northern District of Texas, Dallas Division.

IT IS SO ORDERED.

Dated this 26th day of March, 2020.



JOE HEATON
UNITED STATES DISTRICT JUDGE